

**PROCLAMATION PRESENTED FOR POLLUTION PREVENTION WEEK
SEPTEMBER 16-20, 2002**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council. Hearings scheduled for today:

HEARINGS: 5:00 P.M.

Req'd. City Atty. to pursue all legal alternatives to demolition of said property, including but not limited to suing for current amount owed to the City and moving forward with the appointment of a conservator or receivership.

Received supporting documentation into the record, concluded the hearing, overruled the appeal, sustained the decision of the City Planning Commission with proviso that any action to demolish the building be brought back to the City Council, and adopted Resolution No. C-28086.

(Docs. 3-6)

1. Appeal of Paula Nathan from decision of the City Planning Commission Certification of Environmental Impact Report (EIR-17-02) for the proposed demolition of the building at 2330 Carroll Park South. (Report of City Planning Commission) (Focused Environmental Impact Report) (Resolution certifying that the Final Environmental Impact Report for the demolition of a single family residence and detached garage located at 2330 Carroll Park South in the Carroll Park Historic District has been completed in accordance with the provisions of the California Environmental Quality Act and State and Local Guidelines and making certain findings and determinations relative thereto.) (Councilmember Dan Baker, requesting City Attorney to pursue all legal alternatives to demolition of said property, including but not limited to appointing a conservator or receiver, or placing liens to force the sale of the property.) (Paula Nathan, submitting two photographs of residence.) (District 2)

Suggested Action: Receive supporting documentation into the record, conclude the hearing, overrule the appeal, sustain the decision of the City Planning Commission to allow demolition; or

Receive supporting documentation into the record, conclude the hearing, sustain the appeal, overrule the decision of the City Planning Commission.

Continued hearing to October 15, 2002, at 5:00 P.M.

2. Resolutions considering and approving EIR SCH # 2002021040 and adopting the Open Space and Recreation Element and related provisions of the Land Use Element of the General Plan; Ordinances implementing new provisions by amending the Zoning Code, amending PD-1, PD-6, PD-21, PD-30, Rezoning Parks to "P" Zone and dedicating City Parks in Perpetuity; and Resolution submitting these changes to the California Coastal Commission. (Report of City Planning Commission) (Citywide)

(Resolution considering and approving the Final Environmental Impact Report for the adoption of the Open Space and Recreation Element of the General Plan of the City of Long Beach (SCH 2002021040), finding that the Final Environmental Impact Report has been completed in accordance with the provisions of the California Environmental Quality Act and State and Local Guidelines, and making certain other findings and determinations relative thereto.)

(Resolution adopting, after public hearing, the new Open Space and Recreation Element of the General Plan of the City of Long Beach.)

September 17, 2002

(Resolution adopting, after public hearing, amendments to the text and maps of the Land Use Element of the General Plan of the City of Long Beach relating to LUD No. 11 [Open Space and Park District].)

(Resolution adopting, after public hearing, amendments to the Local Coastal Program of the City of Long Beach relating to the Open Space and Recreation Element of the City's General Plan; and directing the Director of Planning and Building to submit certified copies of this resolution and the implementing ordinances and resolutions to the California Coastal Commission for approval.)

(Ordinance amending the Long Beach Municipal Code, all related to zoning.)

(Ordinance amending the Use District Map of the City of Long Beach as said map has been established and amended by amending portions of parts of said map.)

(Ordinance amending Ordinance No. C-7528 relating to the Southeast Area Development and Improvement Plan [SEADIP] [PD-1].)

(Ordinance amending Ordinance No. C-7598, adopted March 23, 1999, amending and restating the Downtown Shoreline Planned Development District [PD-6].)

(Ordinance amending and restating the Queensway Bay Planned Development District [PD-21].)

(Ordinance amending and restating the Downtown Planned Development District [PD-30].)

Suggested Action: Continue hearing to Tuesday, October 15, 2002, at 5:00 P.M.

CONTINUED BUDGET HEARING: 6:00 P.M.

Continued hearing to Monday, Sept. 23, 2002, at 5:00 P.M., and providing that, if needed, the meeting of Sept. 23, 2002 would be adjourned to a continued hearing on Tuesday, Sept. 24, 2002, at 1:00 P.M. (Docs. 7-8)

3. Mayor Beverly O'Neill, transmitting Fiscal Year 2002-2003 budget recommendations, as follows:

- Suggested Action:
1. Approve the implementation of a 3% Budget Reduction Citywide, to all General Fund Departments, including public safety, elected official and non-City Manager Departments, effective January 1, 2003, after review by the Mayor's Budget Advisory Committee.
 2. Direct City Manager, with the City Auditor and the Mayor's Budget Advisory Committee, to develop:
 - a. An immediate, comprehensive fiscal strategy by December 31, 2002, for the FY 2002-2003 budget that addresses expense reductions and revenue enhancements.
 - b. A 3-Year Financial Strategic Plan.
 3. Direct City Manager to re-open the Budget in January 2003 to present the above strategies for Council review and action.

Councilmember Bonnie Lowenthal, First District, Councilmember Dan Baker, Second District, and Councilmember Val Lerch, Ninth District, submitting FY 2002-2003 Budget Recommendations.

Continued hearing to Monday, Sept. 23, 2002, at 5:00 P.M., and providing that, if needed, the meeting of Sept. 23, 2002 would be adjourned to a continued hearing on Tuesday, Sept. 24, 2002, at 1:00 P.M.

4. Fiscal Year 2003 Budget Adoption. (Report of Director of Financial Management)

Resolution approving the 2002-2003 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on July 18, 2002.

Resolution approving the 2002-2003 Budget of the Long Beach Harbor Department.

Fiscal Year 2003 Proposed One-Year Capital Improvement Program.

(Ordinance approving and adopting the Official Budget of the City of Long Beach for the Fiscal year 2002-03, creating and establishing the funds of the Municipal Government of the City of Long Beach and appropriating money to and authorizing expenditures from said funds for said fiscal year; declaring the urgency thereof, and providing that this Ordinance shall take effect at 12:01 A.M. on October 1, 2002.)

Suggested Action:
 1. Adopt Resolution approving the FY 03 budget of the Long Beach Water Department as adopted by the Board of Water Commissioners on July 18, 2002.
 2. Adopt Resolution approving the FY 03 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on July 22, 2002.
 3. Approve FY 03 One-Year Capital Improvement Program.
 4. Adopt a motion amending the proposed budget.
 5. Declare an emergency to exist.
 6. Declare Appropriations Ordinance for FY 03, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an emergency ordinance, read and adopted as read.

PUBLIC: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

CONSENT CALENDAR (5 - 17)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

DEPARTMENTAL COMMUNICATIONS:

- R & F. (Doc. 10)

5. **RECEIVE AND FILE** Commercial Services Bureau Billing & Collections Section Operational Review, dated August 30, 2002. (City Auditor)
- R & F. (Doc. 11)

6. **RECEIVE AND FILE** Quarterly Audit of Cash and Investment Balances as of March 31, 2002. (City Auditor)
- Approved, rescinded and superseded. (Doc. 12)

7. **APPROVE** revised Record Retention Schedule for the Police Department and **RESCIND** and **SUPERSEDE** all previously applicable Record Retention Schedules. (City Clerk)
- Referred to Public Safety Committee. (Doc. 40)

8. **RECEIVE AND FILE** Annual Report of the Citizen Police Complaint Commission for Calendar Year 2000. (City Manager) (Citywide)
- Auth'd. City Mgr. (Doc. 41)

9. **AUTHORIZE CITY MANAGER** to execute renewal of first amendment to Affiliation Agreement No. 27269 with El Camino Community College District to allow students at the Paramedic Training Institute to serve field internships in Long Beach. (Fire) (Citywide)
- Auth'd. City Atty. (Doc. 13)

10. **AUTHORIZE CITY ATTORNEY** to submit Compromise and Release for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$58,500 in compliance with Appeals Board order for claim of Myrtis Bihm. (Law)
- Auth'd. City Atty. (Docs. 14-15)

11. **AUTHORIZE CITY ATTORNEY** to submit Stipulations with Requests for Awards for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$17,297.50 in compliance with Appeals Board order for claim of Cheryl Dubose; and \$22,610 for claim of William Gordon. (Law)
- Auth'd. City Atty. (Doc. 16)

12. **AUTHORIZE CITY ATTORNEY** to pay sum of \$392,000 in full settlement of the claim of James Magner, et al. against the City of Long Beach. (Law)
- R & F. (Doc. 17)

13. **RECEIVE AND FILE** communication advising that \$35,000 was paid on September 10, 2002 to Elpidio Madera and Bertha Madera and their attorney in settlement of a lawsuit against the City of Long Beach, as authorized by the City Council in an attorney-client meeting on April 30, 2002. (Law)
- Auth'd. City Atty. (Doc. 18)

14. **AUTHORIZE CITY ATTORNEY** to pay sum of \$78,500 in full settlement of the lawsuit of Timothy Bevan, dba Meridian Pacific Construction, against the City of Long Beach. (Law)
- R & F. (Docs. 19-24)

15. **RECEIVE AND FILE** the following minutes:
City Planning Commission, July 18, 2002
Civil Service Commission, August 28, 2002
Harbor Commission, September 9, 2002
Water Commission, August 15, 22 and 29, 2002
- Ref'd. to City Atty. (Docs. 25-38)

16. **REFER TO CITY ATTORNEY** the following damage claims:

Automobile Club of Southern California, subrogee for Ann Howard	\$	2,420.28
Jaime D. Alvarez		680.00
Kevin Harvey		839.84
James Hetherington		5,000.00
Earl A. Hobbs		2,000,000.00
Elaine H. Hubatch		674.77
David A. Hug		155.00
Mercury Casualty Company, subrogee for Beverly M. Burns		1,595.92
Mercury Insurance Company, subrogee for Haiyan Hu Notice to Present Late Claim and claim		232.85
Nationwide Mutual Insurance Company, subrogee for Norma Heras		1,391.30
Qui Nguy		Amount Unknown

William Tims	392.70
Verizon (01-17-02)	758.14
George Wm. Vetter	Amount Unknown

Approved. (Doc. 39)	17. APPROVE Proclamation proclaiming September 16-20, 2002, as Pollution Prevention Week.
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SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

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| R & F. (Doc. 42) | 18. Councilmember Bonnie Lowenthal, First District, recommending all Council offices distribute public service announcements to their districts regarding the importance of contacting the Police Department during an emergency in an effort to outreach and educate residents who are limited-English speakers. |
| R & F. (Doc. 43) | 19. Councilmember Dennis Carroll, Fourth District, Councilmember Rob Webb, Eighth District, and Councilmember Tonia Reyes Uranga, Seventh District, requesting status report on Airport flight slot settlement negotiations. |
| Laid over to Sept. 24, 2002.
(Doc. 44) | 20. Director of Financial Management, regarding agreement with Union Bank of California for Banking Services and Six-Month Extension of Current Agreement with Bank of America. (Citywide)

Suggested Action: 1. Authorize City Manager to execute all necessary agreements for banking services for an initial three-year term, ending September 30, 2005, with seven optional one-year extensions, with Union Bank of California and extending the current Banking Services Agreement with Bank of America for a term not to exceed 180 days.

2. Authorize City Manager to exercise the City's seven optional one-year extensions with Union Bank of California.

3. Authorize City Manager to extend the current Banking Services Agreement with Bank of America for a term not to exceed six months, ending March 31, 2003. |
| Auth'd. City Mgr. to execute agreement for a period of 21 months in an amount not to exceed \$430,000 to assist in the preparation of the updated Land Use Element of the City's General Plan; and auth'd. City Mgr. to extend the term and provide additional services as required within the provisions of the agreement.
(Doc. 45) | 21. Director of Planning and Building, regarding an agreement with EIP Associates to provide services to update the Land Use Element of the City's General Plan. (Citywide)

Suggested Action: Authorize City Manager to execute agreement for a period of 21 months in an amount not to exceed \$430,000 to assist in the preparation of the updated Land Use Element of the City's General Plan; and authorize City Manager to extend the term and provide additional services as required within the provisions of the agreement. |

R & F. (Doc. 46)

22. Chief of Police, reporting on the application of Empire Food Service Incorporated, dba The Greek Grill, for an alcoholic beverage license at 1923 East Broadway. (District 2)

Suggested Action: Receive and file application, with or without conditions.

R & F. (Doc. 47)

23. Chief of Police, reporting on the application of Tandoori Grill Incorporated, dba Kamal Palace Cuisine of India, for an alcoholic beverage license at 6374 East Pacific Coast Highway, Suite A. (District 3)

Suggested Action: Receive and file application, with or without conditions.

Req'd. City Clerk to transmit conditions to the Dept. of Alcoholic Beverage Control, as set forth in the comm'n. from Councilmember Frank Colonna. (Docs. 48-49)

24. Chief of Police, reporting on the application of Universal Consulting Group Incorporated, dba Le Creperie Caffe, for an alcoholic beverage license at 5110 East 2nd Street. (District 3) (Councilmember Frank Colonna, transmitting conditions for application.)

Suggested Action: Receive and file application, with or without conditions.

Determined that application would serve the public convenience and necessity. (Doc. 50)

25. Chief of Police, regarding application of Long Beach Aerie No. 791 Fraternal Order of Eagles, dba Long Beach Eagles Aerie 791, for an alcoholic beverage license at 535 West Willow Street. (District 7)

Suggested Action: Determine that application would serve the public convenience and necessity.

Auth'd. City Mgr. to execute lease/purchase agreement in an amount not to exceed \$372,349 over a three-year period. (Doc. 51)

26. Director of Technology Services, regarding lease/purchase agreement with EMC Corporation for the purchase of Disk Storage Hardware and Services. (Citywide)

Suggested Action: Authorize City Manager to execute lease/purchase agreement in an amount not to exceed \$372,349 over a three-year period.

Auth'd. City Mgr. to execute a Mills Act Historic Property Contract with Amanda Trefethen and Shawn Morey, owners of 814 Cedar Avenue, a qualified historic property in the Willmore City Historic District. (Doc. 52)

27. City Planning Commission, regarding Mills Act Historic Property Contract with owners of 814 Cedar Avenue, a historic property located in the Willmore City Historic District. (District 1)

Suggested Action: Authorize City Manager to execute a Mills Act Historic Property Contract with Amanda Trefethen and Shawn Morey, owners of 814 Cedar Avenue, a qualified historic property in the Willmore City Historic District.

RESOLUTIONS:

Adopted Resolution
No. C-28087. (Doc. 53)

28. In support of efforts by Southern California cities to implement programs to improve water quality. (Councilmember Bonnie Lowenthal, First District, Councilmember Dan Baker, Second District, Councilmember Rob Webb, Eighth District, requesting support.)

Suggested Action: Declare Resolution read and adopted as read.

Adopted Resolution
No. C-28088.
(Docs. 54-55)

29. Providing for the issuance of 2002-03 Tax and Revenue Anticipation Notes of the City of Long Beach, California. (Financial Management) (Draft Preliminary Official Statement, dated September 11, 2002.) (Citywide)

Suggested Action: Adopt Resolution providing for the competitive sale of FY 03 Tax and Revenue Anticipation Notes; and authorize City Manager to execute certificates, documents and agreements in accordance with the Resolution.

Adopted Resolution
No. C-28089.
(Docs. 56-57)

30. Approving the issuance of tax-exempt obligations by the California Statewide Communities Development Authority, in an amount not to exceed \$225 million, for Memorial Health Services, a Non-Profit Public Benefit Corporation described in Section 501(c)(3) of the Internal Revenue Code of 1986. (Preliminary Official Statement for Health Facility Revenue Bond, Series 2002 A.) (Financial Management) (District 6)

Suggested Action: Adopt Resolution.

Adopted Resolution
No. C-28090. (Doc. 58)

31. Consenting to the establishment of the portion of Willow Street over the Coyote Creek within said City as a part of the System of Highways of the County of Los Angeles. (Public Works) (District 4)

Suggested Action: Adopt Resolution.

ORDINANCES:

Adopted Ordinance
No. C-7820.

32. Approving Resolution No. WD-1158, a Resolution of the Board of Water Commissioners of said City establishing the rates and charges fixed therein to be charged for water and sewer service.

Suggested Action: Declare Ordinance read and adopted as read.

Adopted Ordinance
No. C-7821.

33. Amending the Long Beach Municipal Code, by amending Chapter 3.90 relating to a surcharge for the Development Services Center.

Suggested Action: Declare Ordinance read and adopted as read.

Adopted Ordinance
No. C-7822.

34. Amending the Long Beach Municipal Code, by amending Chapter 18.48 – Fire Code. (2000 Edition of the Uniform Fire Code) (Fire)

Suggested Action: Declare Ordinance read and adopted as read.

Adopted Ordinance
No. C-7823.

35. Amending the Long Beach Municipal Code, all relating to adoption of the latest California Building, Electrical, Mechanical and Plumbing Codes and the Uniform Housing Code. (2001 Edition of the California Building, Electrical, Mechanical and Plumbing Codes; and 1997 Edition of the Uniform Housing Code) (Planning and Building) (Citywide)

Suggested Action: Declare Ordinance read and adopted as read.

NEW BUSINESS:

Received and made part of permanent record.
(Docs. 1-2)

36. Affidavits of Service for two special meetings of the City Council held Tuesday, September 17, 2002.

Received and made part of permanent record. (Doc. 9)

37. Linda Ivers, submitting communication signed by Martha Thuente, Chair, North Long Beach Project Area Committee, transmitting photographs taken of Cops, Clergy and Community Peace March held Saturday, September 14, 2002.

38.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

ADJOURNMENT:

Suspended rule of the City Council and adopted motion to declare the meeting adjourned to 6:00 P.M., on Tuesday, September 24, 2002, at MacArthur Park, Social Hall, 1325 Anaheim Street.
(Doc. 59)

39. Councilmember Laura Richardson-Batts, Sixth District, requesting that the September 24, 2002 City Council meeting be held in the Sixth District at MacArthur Park Social Hall, 1325 Anaheim Street, to commence at 6:00 P.M.

Suggested Action: Suspend the rule of the City Council and adopt a motion to declare the meeting adjourned to 6:00 P.M., on Tuesday, September 24, 2002, at MacArthur Park, Social Hall, 1325 Anaheim Street.

REMINDERS: October 1, 2002, Hearing on an appeal from City Planning Commission decision to approve a request to modify the Lafayette Condominiums, Special Use Permit S-180-678, Tract Map No. 23932 by converting a portion of the first and second floors in the Campbell Building to eight (8) live/work units.
(District 2)

NOTE: The City Council Agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed to the public if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Department, City Hall Plaza Level, 333 W. Ocean Boulevard, Long Beach, California, 90802. You may access the agenda on the World Wide Web Internet address of **www.ci.long-beach.ca.us/cityclerk** to view it. You may contact us through the use of E-Mail at **cityclerk@ci.long-beach.ca.us** for correspondence purposes. The public may review agenda items in the City Clerk Department or the Government Publications Section of the Main Library and the Branch Libraries. The City of Long Beach provides reasonable accommodations pursuant to the Americans with Disabilities Act of 1990. If a special accommodation is desired, or if you need the agenda provided in an alternate format, please phone Sharon Stone at (562) 570-6938 in the City Clerk Department 48 hours prior to the meeting. To communicate directly to the City Clerk Department Telephone Device for the Deaf (TDD), phone (562) 570-6626. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.

/SS